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PATNA HIGH COURT

NOTIFICATION

The 21st September 2016

**ADDENDA AND CORRIGENDA TO PATNA HIGH COURT RULES, 1916
(Fifth Edition) C.S. No.158**

No.X-04-2015-423R/Rules—The following **Substitution** and **Insertion** is made with immediate effect in the existing C.S. No.151 and C.S. No.152 whereby **Chapter–IIIA** of the **Patna High Court Rules, 1916** (Filing Procedure) was earlier substituted with effect from 01.04.2016.

Existing rules as per C.S. No.151.	The Rule so amended shall be read as follows:-
3.(e) The proceedings/pleadings shall bear running page number and annexure numbers.	By way of Substitution of existing provisions of same number by new rules:- 3(e) The proceedings/pleadings shall bear running page number and continuous annexure numbers that is with prefix “P”, in the case of documents filed by the Petitioner and prefix “R” in the case of documents filed by the respondents. Where there are more than one respondent then the documents filed will have prefix “R” with the respondent No. that is in case counter affidavit is being filed on behalf of Respondent No. 2 to 4, then the document will have prefix R2 etc.
3.(g) Photo state copy of a document appended as annexure, if not legible, shall be followed, after the document, by	3(g) Any Annexure, if not legible in part or as a whole, to be attached to any pleadings/petitions, will be properly typed as a whole and attached with the

<p>a true typed copy of the annexure and shall be attested by the Advocate on Record as “true copy”.</p>	<p>paper book with continuous page marking. The photocopy of all such document as a whole will be attached immediately after the typed copy with continuous page marking. The typed copies shall be attested by the Advocate on record as “True Copy”.</p>
<p>Rule 4(i)</p>	<p><u>Insertion:</u></p> <p>4 A (i) Pleadings and proceedings in relation to writ petitions arising out of matters before the Central Administrative Tribunal, should be accompanied by all the applications, rejoinders, replies and pleadings as filed before the Central Administrative Tribunal as a separate paper book.</p> <p>(ii) The said paper book shall be indexed, with the pleadings in seriatim along with respective annexures.</p> <p>(iii) The index page shall contain a certificate by the A.O.R., filing the writ petition, that the pleadings contained in the paper book are complete and are true copies of the pleadings as filed before the Tribunal.</p>
<p>7.(iii) In case, where case numbers are duly assigned and any defect and/or deficiency is reported by the Stamp Reporter, the matter shall be listed before appropriate Court at the earliest, for necessary orders for direction to remove defect or deficiencies as the case may.</p> <p>(iv) In case of proceedings where only token numbers are assigned, on defects or deficiencies being reported by Stamp Reporter as aforesaid, the AOR will be notified as such, as also, such notification be circulated through Web/Notice to Associations. Upon such notice, the AOR or his registered clerk may chose to remove the defect by taking back the proceeding for re-filing within 2 weeks after removal of defects, when it would be subject to stamp reporting, afresh.</p> <p>In case, the defects cannot cured or deficiency removed within two weeks and more time is required, the proceedings would be returned/re-filed with a request by the AOR accordingly and placed before the Joint Registrar (Judicial) who may grant 2 weeks further time. Proceeding left unattended for 2 weeks, after stamp reporting, requiring removal of defect/deficiency will be listed before Joint Registrar (Judicial) for</p>	<p>Substitution and insertion in the provisions of same number by new rules:</p> <p>7(iii) In case of all proceedings which require stamp reporting, on defects being reported, the AOR will be notified as such by SMS and such notification be circulated through Web and Notice to Association.</p> <p>(iv) In case, where case numbers are duly assigned at the time of filing, under proviso to Rule 5, and defects are so reported, the matter will be listed before Lawazima Board, which if so satisfied, upon objection to the stamp reporting by the AOR filing the proceedings, may over rule any defect or order for it to be ignored or may permit its rectification within four weeks without return of the pleadings/proceedings. Where defect (s) are incurable or still persist, it shall be listed before court for orders on office notes.</p> <p>(v) In case, where only token number is assigned, and defects are so reported, the officer designated by the Registrar General, if so satisfied, upon objection to the stamp reporting by the AOR filing the proceedings, may over rule any defect or order for it to be ignored or may permit the return of the pleadings/proceedings for removal of defects and re-filing within 4 weeks, with or without removing defects, subject to fresh stamp reporting. If upon re-filing, all defects are found not removed/cured, the pleadings/proceedings will then be listed before Lawazima Board for removal of defects within four weeks. If defect persists or is incurable then it will</p>

<p>orders.</p> <p>If in spite of time granted by Joint Registrar (Judicial) the defects and/or deficiency is not removed, the proceeding shall be then listed, for orders, before the appropriate court, not with token number but with proper case number, for appropriate order/direction for removal of defect and/or deficiency as the case may be. Such proceedings shall not be then returned except on orders of the Court.</p> <p>In no case proceedings, not returned/re-filed within 2 weeks, will be accepted and the token number will be automatically cancelled.</p>	<p>be numbered and listed before court for appropriate orders on office note.</p> <p>(vi) Pleading/proceedings with token numbers remaining unattended for 4 weeks from the date of stamp reporting will be listed with defects, duly numbered before court for appropriate orders on office note.</p> <p>(vii) Pleadings/proceedings with token number, refiled after expiry of 4 weeks but within 8 weeks of initial stamp reporting, after fresh stamp reporting, be listed with case number assigned before court for condonation of delay in refiling and acceptance with necessary orders for removal of defects.</p> <p>(viii) Pleadings/proceedings with token numbers will not be accepted for refiling after 8 weeks of initial stamp reporting and the token number will be automatically cancelled/lapsed, unless on an application to the court, the court condones delay, for the reasons given by the AOR.</p>
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By Order of the Court,
VINOD KUMAR SINHA,
Registrar General.

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